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**AUG 01 2006**

**FACSIMILE TRANSMITTAL SHEET**

Deliver to: Examiner Tse W. Chen , Art Unit 2116  
Firm Name: U.S. Patent & Trademark Office  
Fax Number: 571-273-8300  
From: Michael J. Mallie Operator: Christopher Burnharte  
Date: August 1, 2006  
App. No.: 10/015,533  
No. of pages: 6 (including cover sheet)  
Client/Matter: 42P11062 Docket Date: NONE Atty: JDS

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Dear Examiner:

Please find the following document(s) attached:

- 1) Notice of Appeal – original & copy (2 pages)
- 2) Fee Transmittal (1 page)

Thank you.

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

By:

  
Christopher Burnharte

Date: August 1, 2006

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PTO/SB/17 (01-06)

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2006** Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 450.00)

**Complete if Known**

Application Number	10/15,533	RECEIVED
Filing Date	December 11, 2006	CENTRAL FAX CENTER
First Named Inventor	Andrew J. Fish	AUG 01 2006
Examiner Name	Tse W. Chen	
Art Unit	2116	
Attorney Docket No.	42P11052	

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_  
 Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments  
 under 37 CFR 1.16 and 1.17

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**FEE CALCULATION** (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissuc	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	=				
HP = highest number of total claims paid for, if greater than 20.						

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)		
- 3 or HP =	x	=			

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		

**4. OTHER FEE(S)**

1) Extension for response within second month (Fee Code 1252)

Fee Paid (\$)

450.00

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent) 36,591	Telephone 408-720-8300
Name (Print/Type)	Michael J. Maffie		Date August 1, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney's Docket No.: 042390P11062

AUG 01 2006

Patent

In Re the Application of: Andrew J. FishApplication No.: 10/015,533 (inventor(s))Filed: December 11, 2001For: SYSTEM AND METHOD TO EXTEND FIRMWARE CAPABILITIES BY  
LOADING FIRMWARE EXTENSIONS FROM A BOOT MEDIA (AMENDED)  
(title)Group Art Unit: 2116Examiner: Matthew Allan Henry

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF  
PATENT APPEALS AND INTERFERENCES**

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision dated July 21, 2006 of the Examiner rejecting claims 1-20.

The item(s) checked below are appropriate:

XXX The following is the Notice of Appeal fee under 37 C.F.R. § 1.17(b):

320.00 a. other than small entity: fee \$ 320.00

       b. small entity: fee \$ 160.00

       verified statement attached

       verified statement was filed \_\_\_\_\_

XXX A petition under 37 C.F.R. § 1.136(a) for an extension of time for reply to the rejection is enclosed along with a check for the fee for the extension of time.

       Enclosed is a check in the amount of \$320.00 for the Notice of Appeal fee.

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on 8/1/2006

Date of Deposit

Christopher Burnharte

Name of Person Mailing Correspondence

8/1/2006

Signature

Date

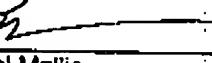
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XXX If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this sheet is enclosed for Deposit Account charging purposes.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: August 1, 2006

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Michael Mallie  
Reg. No. 36, 591

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8/1/2006

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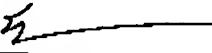
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